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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.  | CONFIRMATION NO. |
|---|-------------|----------------------|----------------------|------------------|
| 09/982,771  | 10/22/2001  | Hiroshi Nishiyama    | Q66525               | 8452             |
| 7590  | 12/17/2004  |                      | EXAMINER             |                  |
| SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC<br>2100 Pennsylvania Avenue, N.W.<br>Washington, DC 20037 |             |                      | CATHEY II, PATRICK H |                  |
|   |             |                      | ART UNIT             | PAPER NUMBER     |
|   |             |                      | 2613                 |                  |

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                  |                  |
|------------------------------|----------------------------------|------------------|
| <b>Office Action Summary</b> | Application No.                  | Applicant(s)     |
|                              | 09/982,771                       | NISHIYAMA ET AL. |
|                              | Examiner<br>Patrick H. Cathey II | Art Unit<br>2613 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-4 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-4 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

|   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim's 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lachinski et al. (US 5,633,946).

Lachinski et al. teach a plurality of picture transmitting apparatus including, an input unit for inputting a picture signal from the plurality of picture sources (Column 4, lines 49-64), a data converter for converting the picture signal from the input unit into picture data having a predetermined transfer rate (Column 6, line 64 to Column 7, line 2) and a transmission unit for transmitting the picture data converted by the data converter to the vehicle-inside communication line (Column 4, lines 24-34). Lachinski et al. also teach a plurality of picture receiving apparatus, each of the plurality of picture receiving apparatus including, a reception unit for receiving the picture data transmitted from the picture transmitting unit via the vehicle-inside communication line and a data converter for converting the picture data from the reception unit into a picture signal (Column 5, lines 24-47), an output unit for outputting the picture signal converted by the data converter (Column 5, lines 50-57), a line management unit for outputting a control signal (Column 6, lines 48-63) and a provision unit for providing information, which the

picture signal from the output unit of the picture receiving apparatus represents, with a user in the vehicle (Column 14, lines 49-53).

Lachinski et al. do not specifically teach where the line management unit outputs to the rate controller, control signal capable of controlling the transfer rate of the picture data from each of the picture transmitting apparatus to the picture data from each of the picture transmitting apparatus to the vehicle-inside communication line, based upon transfer capacity information indicative of a transfer capacity of the vehicle-inside communication line and transfer rate information indicative of a transfer rate used in the vehicle-inside communication line. Lachinski et al. do teach a time code generator that shows the capacity of frames being able to be transferred per second for the video recorder (Column 6, lines 35-47). Lachinski et al. also show that the video cameras are capable of obtaining images at a rate of 30 frames per second (Column 6, line 64 to Column 7, line 2). This shows that there is a predetermined transfer rate. This transfer rate is also connected to the control computer which sends the information to the router, or line management unit, and then to the video monitors (Column 8, lines 10-25; Column 3, lines 39-55; see also Figure 2). When all of this is combined it provides the same information that a rate controller would, therefore it would have been obvious to one of ordinary skill to have a rate controller connected to the line management unit in order to control the transfer rate of the vehicle-inside communication line.

Claim's 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lachinski et al. in view of Young (US 6,320,612).

Many of the limitations have been addressed in the above rejections. Lachinski et al. fail to teach information of the picture data imaged by the back-sight monitoring camera apparatus based upon a back gear signal produced when the user sets a back gear, but Young does (Column 4, lines 34-44). Since Lachinski et al. teaches a camera on the back of the vehicle for detecting rear sight at any time, it would have been obvious to one of ordinary skill to activated the rear-sight camera with a back gear signal if you wanted to limit the use of the rear monitoring camera.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The additional references not used in the above rejections were included because they teach additional information on monitoring vehicles and the necessary communication network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick H. Cathey II whose telephone number is (703) 305-4909. The examiner can normally be reached on M-F 7:30 to 5:00 (Every other friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (703) 503-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patrick H. Cathey II  
Examiner  
Art Unit 2613

PHC

  
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